

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BOSTON DIVISION
DOCKET NO. 05-11682

L & T YACHT SALES, INC.,)
Plaintiff)
)
VS.)
)
POST MARINE CO., INC.,)
Defendant)

PLAINTIFF'S MOTION TO EXTEND TIME

Now comes Plaintiff in the above-captioned matter and respectfully moves that the date for filing of summary judgment motions by the parties be extended from June 1, 2007 to June 11, 2007. In support of this motion plaintiff states that on May 4, 2007 Plaintiff's legal counsel received electronic clerk's notes with a filing and hearing schedule containing a motion filing date of June 11th, a response date of July 13, a reply date of August 3 and a hearing date of September 7th. Plaintiff's legal counsel's administrative staff posted said four (4) dates on Plaintiff's legal counsel's calendar accordingly. Several business days later the pre-trial conference order arrived and contained the same dates with the exception of the motion filing date which therein indicated June 1 rather than June 11. Plaintiff's legal counsel and staff inadvertently did not notice the June 1/June 11 disparity and the motion filing date was left on the calendar marked as June 11. This disparity was first observed by Plaintiff's legal counsel on May 30, 2007.

In further support of the within motion Plaintiff states that the other three (3) dates i.e. the response, reply and hearing dates need not be changed and that the June 11 motions filing date will still allow 32 days for responses.

Plaintiff's legal counsel's staff in good faith sought on May 31 to telephonically discuss with Defendant's legal counsel, Michel Weisz, the June 1/June 11 disparity and the within motion and was told Attorney Weisz's administrative assistant that Attorney Weisz would be out of his office until Tuesday, June 5, 2007.

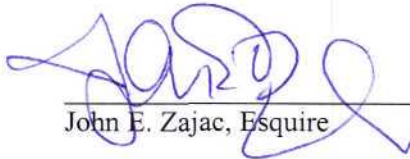
Respectfully submitted,
The Plaintiffs,
By their Attorney,



John E. Zajac, Esquire BBO # 560195
CARMICHAEL, ZAJAC & FLEURY, P.C.
170 High Street
Taunton, MA 02780
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CERTIFICATE OF SERVICE

I, John E. Zajac, Esquire this 31st day of ~~May~~^{June}, 2007 have given notice of the within Plaintiff's Motion to Extend Time to Defendant by faxing a copy of the same to Defendant's legal counsel, Michel O. Weisz, Esquire at his 9350 S. Dixie Highway, Miami, Florida 33156 office.



John E. Zajac, Esquire